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		Effective:	3/13/08	Reviewed:	
		Distribution:	Public	Due for Rev:	3/10
	Chapter:	Prisoner Work Programs			
	Subject:	Compensation for Prisoner Produced Goods and Services			

I. Authority

In accordance with 22 AAC 05.155, the Department will maintain a manual comprised of policies and procedures established by the Commissioner to interpret and implement relevant sections of the Alaska Statutes and Article 22 of the Alaska Administrative Code (22AAC).

II. References

Alaska Statutes

AS 33.30.191, 33.30.201

Alaska Administrative Code

22AAC 05.100, 22AAC 05.110

Standards for Adult Local Detention Facilities; 3rd Edition 1991

3ALDF-5A-09, 5A-10, 5A-18

Standards for Adult Correctional Institutions; 4th Edition 2003

4-4451, 4452, 4461

III. Purpose

To establish procedures and a standardized method for prisoners to be compensated for goods produced and/or work performed while incarcerated.

IV. Application

To all Department employees and prisoners.

V. Definitions

As used in this document, the following definitions shall apply:

A. Craft goods

Tangible articles which are the products of prisoner manual skill and manufacture such as drawings, paintings, ceramic objects, leather crafts, carvings, lamps, and other art and craft items; as defined and applied in 815.04, Arts and Crafts Programs.

B. Services

Work performed by a prisoner in compensation status and in non-compensated status per AS 33.30.225.

C. Transaction

An exchange of goods or services for financial compensation.

VI. Policy

A. It is the policy of the Department to establish procedures for compensating prisoners for work performed in accordance with AS 33.30.201 and contingent upon budgetary resources. Each Superintendent will develop procedures for supervising and accounting for prisoner produced goods and services transactions.

B. Prisoners under the jurisdiction of the Department will be productively engaged in work for as many hours as each day as is feasible within the parameters of custody, resources, and the security of the institution. Prisoners may be directed to participate in work in accordance with AS 33.30.191, and without

compensation in accordance with AS 33.30.201 if funds are not available through appropriations for compensation. A prisoner who refuses to work is subject to disciplinary sanctions imposed in accordance with 809.02, Acts Prohibited and Penalties.

- C. Work compensation will be determined by an established standard rate based upon institutional needs, availability of skill sets, longevity, actual job performance, demonstrated proficiency and budget. Work assignments for which compensation is paid will be at the rate(s) established by the Superintendent. The funds allocated for prisoner work compensation are contingent upon legislative appropriations.
- D. Work assignments shall afford prisoners the opportunity to learn job skills and develop work habits and attitudes that they can then apply to jobs after they are released.

VII. Procedures

A. Prisoner Services

Prisoner work may be performed on the grounds of the institution or in the community. All services must be performed under the auspices of a formal prisoner work program. Compensation rates and procedures for services will be determined by the Superintendent in accordance with the following criteria:

- 1. Within the institution, for non Prisoner Employment Program (PEP) and non capital projects work, prisoners may be compensated from \$.30 up to \$.90 per hour depending on the needs of the institution, degree of personal responsibility placed on the prisoner, demonstrated proficiency, and longevity in the performance of duties. These compensations will fall within levels I through VI as determined by the Superintendent. The Superintendent shall take into account local conditions including the availability of different skill sets, institutional needs as well as the prisoner gratuity budget assigned to that institution when determining which functional job titles are placed at which levels. The Superintendent will likewise determine when and under what circumstances longevity increases shall be granted. Compensation for each level shall be as follows:

Institutional Worker I \$.30-.35

Institutional Worker II .40-.50

Institutional Worker III .50-.60

Institutional Worker IV .60-.70

Institutional Worker V .70-.80

Institutional Worker VI .80-.90

Note: For record keeping and accounting purposes, the Work Position job title must read "Institutional Worker____" (I-VI) followed by a functional description. Functional descriptions include, but are not limited to:

Cook I, II and III

Baker I, II and III

Culinary Worker I, II and III

Barber I and II

Supply/Services
 Commissary Clerk I and II
 Laundry Worker I and II
 Warehouse/Countermerman
 Hobby Craft Manager
 Gymnasium Manager
 Recreational Assistant I and II
 Maintenance Worker I, II and III
 Carpenter I and II
 Painter I and II
 Plumber I and II
 Electrician I and II
 Instructor's Assistant I and II
 Librarian I, II and III
 Alcohol/Drug Counseling Coordinator
 Clerk I, II and III
 Mechanic I, II and III
 Equipment Operator I and II
 Tool Crib Manager I and II
 Custodian I, II and III
 Landscaper I and II
 Window Washer I and II
 Computer Operator I and II
 Courier I and II
 Editor I and II
 Tailor I and II
 General Laborer

2. Prisoners' work on long term major construction projects related to expansion or renovation of an institution may be charged against capital accounts if approval is received in advance from the Division of Facilities Management. Completed prisoner gratuity forms for approved projects are to be submitted monthly to the Division of Facilities Management for processing. Projects approved for capital budget compensation for prisoner construction labor will use the following maximum rates unless otherwise adjusted by the Director of Facilities Management:

<u>DUTY FIELD</u>	<u>WORK POSITION</u>	<u>HOUR MAXIMUM SCHEDULE</u>
Construction	Entry level – (no previous experience)	.75
	journeyman II – (experienced in particular field)	1.00
	journey I – (experienced and has	1.25

demonstrated proficiency)

Note: Prisoner work on short term capital project is to be compensated from the institution's operating budget at the Institutional Worker III-V range as deemed appropriate by the Superintendent.

3. A prisoner may be paid up to \$1.00 per hour to a maximum of \$8.00 per day in the performance of community work projects inside or outside the institution:

<u>DUTY FIELD</u>	<u>WORK POSITION</u>	<u>HOUR MAXIMUM</u>
		<u>SCHEDULE</u>
Community Work	Community Worker I	1.00
	Community Worker II	.75
	Community Worker III	.50

4. Correctional Industries work is covered by policy 1104.02, Prisoner Employment Program Compensation Plan.
5. Prisoners shall not be employed or compensated for more than 40 hours a week.
6. Each Superintendent shall establish a procedure and budget for payment of gratuities in conformance with this policy and procedure sufficient to meet institutional work program needs and remain within the approved budget; and
7. All compensation for work programs and correctional industries will be credited to the appropriate prisoner's fund account in accordance with 302.12, Prisoner Accounts; and, in the case of Industries, in accordance with 1104.03, Wage Dispersal.

Note: For record keeping and accounting purposes, the Work Position job title must be included in the working title identifying each worker; e.g., an inmate works for the Division of Forestry and is paid as a Community Worker II. The work position title may include a descriptive prefix such as "Forestry Community Worker II," to identify the working title along with the position title and the compensation schedule. Only those position job titles and skill level compensation schedules listed in this policy and Industries Procedures may be utilized to identify positions for recording and accounting reported to the Restitution Unit at Juneau Central.

B. Craft Produced Goods

The Superintendent shall establish procedures for the display and purchase of goods produced by prisoners and the pricing of items for casual sale in accordance with 815.04, Arts and Crafts Programs. Employees of the department are not allowed to negotiate with prisoners or otherwise deal directly with a prisoner selling any item.

C. Fund Raising:

The transaction remuneration from the sale of prisoner goods and/or prisoner services for the purpose of raising funds for a prisoner organization must be in

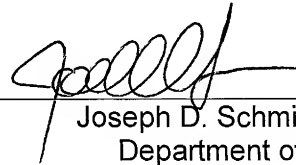
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accordance with 815.03, Prisoner Organizations, and at the discretion of the Superintendent.

VIII. Implementation

This policy and procedure is effective as of the date signed by the Commissioner. Each Manager shall incorporate the contents of this document into local policy and procedure within 14 days. All local policies and procedures must conform to the contents of this document and any deviation from the contents of this document must be approved in writing by the Commissioner or designee.

2/29/08
Date


Joseph D. Schmidt, Commissioner
Department of Corrections